

the benefits of practicing preventive health care, the importance of undergoing periodic health examinations, and the need to establish and maintain a family medical history to businesses, providers of health care services, and other appropriate groups and individuals.

(e) STATE DEFINED.—In this section, the term "State" means each of the 50 States and the District of Columbia.

SEC. 10. PROGRAMS TO ESTABLISH ON-SITE WORKSHOPS ON HEALTH PROMOTION.

(a) GRANTS TO BUSINESSES.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall establish a program under which the Secretary shall make grants over a 5-year period to 300 eligible employers to establish and conduct on-site workshops on health care promotion for employees.

(2) ELIGIBILITY.—An employer is eligible to receive a grant under paragraph (1) if the employer submits an application (at such time and in such form as the Secretary may require) containing such information and assurances as the Secretary may require, including assurances that the employer shall use funds received under the grant only to provide services that the employer does not otherwise provide (either directly or through a carrier) to its employees.

(3) INFORMATION AND SERVICES PROVIDED.—On-site workshops on health care promotion conducted with grants received under paragraph (1) shall include the presentation of such information and the provision of such services as the Secretary considers appropriate, including counseling on nutrition and weight management, clinical sessions on avoiding back injury, programs on smoking cessation, and information on stress management.

(b) ESTABLISHMENT OF PROGRAMS FOR FEDERAL EMPLOYEES.—The Secretary of Labor shall establish a program under which the Secretary shall conduct on-site workshops on health care promotion for employees of the Federal Government, and shall include in such workshops the presentation of such information and the provision of such services as the Secretary (in consultation with the Secretary of Health and Human Services) considers appropriate, including counseling on nutrition and weight management, clinical sessions on avoiding back injury, programs on smoking cessation, and information on stress management.

CLEANING UP THE CLEAN AIR ACT

HON. JAY KIM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. KIM. Mr. Speaker, I rise today to introduce a very important piece of legislation which will help rectify a severely unfair application of the Clean Air Act. This bill, which was blocked by the then-majority Democrats in the 103d Congress, will provide my home State of California with the flexibility every other State in our Union currently enjoys. Specifically, this bill will direct the Environmental Protection Agency [EPA] to withhold the enactment of its Federal implementation plan [FIP], as ordered by the courts, until such time as it has an opportunity to review California's State implementation plan [SIP].

We all want clean air—especially in California. Thus, my intentions are not to weaken clean air standards—and this legislation does

not do so. Rather, it helps attain those standards within the context of full support for the principles of States rights. I do not believe the EPA, a Federal bureaucracy, has any right to completely dismantle those principles, even if the courts appear to be the real culprits in this game of high stakes chess. No longer can the Federal Government blindly push States into complying with laws which are not suited for their particular situations or problems.

It is with that in mind that I call on my fellow colleagues to join in protecting the principles upon which this Nation was built. For those of my colleagues who do not represent the State of California, I remind them that this type of precedent could have equally devastating consequences in States such as Texas, Ohio, Virginia, and any others that do not meet the stringently set path that the big brother EPA dictates. Let us make it clear to all Americans that we, the Republican majority, will not stand idly by while the rights of our States are so easily swept aside.

Mr. Speaker, I am hopeful that committee and floor action can be taken expeditiously as this is a very time sensitive issue.

LINE-ITEM VETO LEGISLATION

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. STUMP. Mr. Speaker, I am today introducing legislation to propose an amendment to the Constitution giving the President line-item veto authority. This legislation is identical to the line-item veto bill I introduced last Congress.

In years past, the leadership of this body worked hard to see that no real line-item veto bill passed the House. They argued that a true line-item veto would give too much power to the President. I disagreed then and I disagree now.

In theory, Congress may not need the President's help in deciding how best to spend the taxpayer's money. However, in practice, the temptation to slip special interest or parochial spending programs into otherwise necessary appropriation bills has been too strong to resist. Allowing the President to identify and veto such programs would protect not only the budget process, but the taxpayers' pockets.

Mr. Speaker, the line-item veto has proven itself in State after State where it has been tried. There is no reason not to allow it at the Federal level.

IRS BURDEN OF PROOF

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. TRAFICANT. Mr. Speaker, last year, I introduced H.R. 3261 to protect taxpayers from capricious behavior by the Internal Revenue Service. Today, I am again introducing this bill to ensure American taxpayers get a fair shake in tax court. Too often, the IRS is an agency out of control; too many Americans fear the IRS and that's wrong.

Mr. Speaker, my bill has three sections to protect Americans from IRS abuses. First,

damages paid to the taxpayer are increased from \$100,000, current law, to \$1,000,000. Second, the Internal Revenue Service must notify the taxpayer promptly in writing upon request as to the specific implementing regulations that they are found liable for. No more ambiguous computer generated letters using code numbers. No more unprepared confrontations with the IRS. These two seemingly innocuous sections of my bill are extremely vital and will go a long way in rebuilding the American people's faith in our Government.

The last part of my bill is the most important: it shifts the burden of proof from the taxpayer to the IRS in civil tax cases. Under current law, if the IRS accuses someone of tax fraud, which could be an honest mistake on the 1040 form, he or she must prove his or her innocence in civil court, the IRS does not have to prove your guilt. An accused mass murderer has more rights than a taxpayer fingered by the IRS. Jeffrey Dahmer was considered innocent until proven guilty. Mom and Pop small business owners, however, are not afforded this protection.

Mr. Speaker, during the last session, I highlighted the need for this legislation on the House floor by reading letters and cases I have received from people around the country. You may remember the case of David and Millie Evans from Longmont, CO. The IRS refused to accept their cancelled check as evidence of payment even though the check bore the IRS stamp of endorsement. Or how about Alex Council, who took his own life so his wife could collect his life insurance to pay off their IRS bill? Months later, a judge found him innocent of any wrongdoing. I have heard hundreds of stories of IRS abuses like these on radio and television talk shows. Thousands of Americans have written to me personally with their horror stories.

Opponents argue that my bill will weaken IRS's ability to prosecute legitimate tax cheats. This bill will not affect IRS's ability to enforce tax law, it only forces them to prove allegations of fraud. My bill will ensure that IRS agents act in accordance with the standards of conduct required of all Department of Treasury employees and the Constitution of the United States of America where you are innocent until proven guilty.

Mr. Speaker, I urge all Members to cosponsor my new bill. It will be my No. 1 legislative goal for the 104th Congress. All I seek is fairness for the American people.

THE 1995 AGENDA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for Wednesday, November 30, 1994, into the CONGRESSIONAL RECORD.

THE 1995 AGENDA

There is a deep, free-flowing discontent in the country today. It is difficult to pin down, but it seems to be a fear of the future—a sense of insecurity about jobs, health care, pensions, and the future of the family. Americans are anxious about their future and their children's future in the rapidly changing economy. They are also disgusted with the performance of government. Hoosiers say

to me over and over again that government should not try to rescue every one, that government should get off their backs, that they do not want to see their money spent on expanding programs when they are not getting enough bang for the buck now. In short, they want less welfare, less taxes, less spending, and, most of all, less government. They want to shake up Washington.

AGENDA FOR 1995

Although they oppose a big and intrusive government, Americans still have a long list of problems they want addressed. They want us to fix the economy, and for most of them that means boosting their incomes. They still want the health care system reformed. Americans are very concerned about the cost of health care and fear losing their insurance. They like the idea of universal coverage, and certainly want more control of health care costs. They do not want government control over health care decisions. They do not like the stresses put on the family, and want a more effective fight against crime.

Americans want the size and cost of government reduced. They do not favor a passive government, but rather a government that helps them solve problems without overtaxing or overregulating. They feel that government does not benefit them, but benefits somebody else. They want a government that belongs to them. They surely want a reduction in taxes and serious welfare reform. Welfare reform outdistances even a tax cut for the middle class or health care as the top legislative priority of Americans. They want to end welfare dependency, but not end support for people struggling to be self-sufficient. Americans also want us to clean up politics. They do not approve of the way Congress operates and they think most Members have become disconnected from the lives of ordinary Americans.

The agenda for the next Congress will likely revolve around several themes. First, shrink government. We need to sort out what is the reasonable role of government, what can be accomplished by government and what cannot, and what policy areas could be passed on to the states and private sector from a decentralized federal government. My hope is that in the next few years we can move toward decentralization and smaller institutions. Second, restore confidence in government. Several reforms are needed, including ethics reform, campaign finance and lobbying reform, and addressing the problem of negative campaigning. Policymakers need to govern from the center, and adopt a moderate, centrist approach to issues. Third, fix the economy. We need to build on recent successes in reducing the deficit, and pass a line-item veto and a balanced budget amendment. We should pass a middle-income tax cut, provided we can find a way to pay for it and not add to the national debt. I worry about each side trying to up the tax cut proposal of the other side, with the result of a huge increase in the deficit. Fourth, improve personal security. We need to continue our efforts against crime, and work on scaled back health care reform and welfare reform. There is significant momentum for cutting back the welfare system, restructuring it, making it cost less. Fifth, bolster national defense. We need to shore up our national defense and improve readiness, and adopt a position of selective engagement—not being the policeman of the world but intervening only when it is clearly in our national interest.

DIFFICULTY OF GOVERNING IN AMERICA

America has become a much harder place to govern than in the past. It has become larger, more diverse, more crowded. I am impressed with how the public's demand for

services collides with government's eroding ability to respond. In many respects our political circuits today are overloaded, and it is difficult for elected officials to address obvious national problems in a deliberate, thoughtful, and thorough way. Interest groups clamor for more attention and more benefits and then defend them vigorously. With the clash of interest groups and ideologies, developing a consensus and putting together coalitions to pass legislation has become increasingly difficult.

The public debate has become much more polarized. Interest groups are very effective at manipulating the voter. They understand that nothing rouses the faithful like a negative message denouncing the other side as evil incarnate. Polarized rhetoric and extreme positions arouse the faithful, and stimulate membership and contributions. At the same time, the news media seem to believe that the road to the truth lies in finding two extremes and letting them clash. They like to transform every discussion into a debate. They do not want a commentator interested in context, complexity, or moderation—despite the fact that most Americans are not on the extremes but in the center.

I am also impressed with how little confidence people have in the institutions of government. Press, television, talk radio, and politicians themselves enthusiastically join in undermining confidence in government today. I wonder how far this erosion in confidence can go and still have a functioning democracy.

CONCLUSION

Americans are demanding wholesale changes in Washington. They are perturbed by complex and disturbing trends of economic hardship, crime, the decline of the family and family values, and the erosion of the American dream. They are taking a long, hard, skeptical look at the condition of their government, and they do not like what they see—too much wasteful spending, too much bureaucracy, too much intrusion into their lives, too little in the way of results.

Policymakers must sort out what government can still usefully do and what it cannot do. We must prove to Americans that their institutions of government can still achieve something and are worth preserving. We need to be advocates of good sense and effective, unapologetic government but also a government that understands its limits. We also need to be more honest with Americans, letting them know that they cannot have benefits without paying the cost of them.

FISHERY CONSERVATION AND MANAGEMENT AMENDMENTS OF 1985

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. YOUNG of Alaska. Mr. Speaker, today I am introducing the Fishery Conservation and Management Amendments of 1995. In the last Congress the Merchant Marine and Fisheries Committee held 11 hearings in 5 different States and received testimony from over 100 witnesses. These witnesses represented all segments of the fisheries industries and other interested parties including fishermen, processors, environmentalists, State government officials, and administrative agencies. Near the end of the 103d Congress the Fisheries Management Subcommittee reported a bill which

unfortunately was not considered by the full Merchant Marine and Fisheries Committee.

Today, I am introducing legislation to reauthorize and amend the Magnuson Fisheries Conservation and Management Act. The bill contains nearly identical language to the bill reported by the subcommittee last year. The major differences involve the removal of certain controversial provisions, inclusion of stronger language addressing the bycatch issue and the unique needs of certain rural Alaskan fishermen, as well as some changes that would have been made had the bill been addressed by the full committee last year.

This legislation addresses all of the major concerns discussed during our series of hearings in the last Congress. While some may not totally agree with the way we address some of these concerns, I think this legislation takes a major step in continuing the management of our Nation's fisheries while also addressing some of the problems we have encountered in specific areas of fisheries management.

Mr. Speaker, there are two areas of concern that I feel must be addressed by this reauthorization legislation. We must allow the Regional Fishery Management Councils to address the issue of bycatch. The councils are in a unique position to create specific bycatch reduction measures, tailored for each fishery that they manage. I have also always believed that community development quotas [CDQs] are a legitimate tool of the councils for use in managing our fisheries resources. I have always believed that CDQ's did not have to be specifically authorized for the councils to include them in their first fisheries management plans and the courts have now finally agreed with me on this point. Community development quotas are just one of many tools which can be used by the councils to address the needs of fishery dependent communities. We will continue to look at this issue as we move those legislation.

Mr. Speaker, it is my intention to move quickly with the bill, so that we can get on with the sound management of our Nation's fisheries resources. Our fishermen and processors deserve no less.

REDECLARE THE DRUG WAR

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. SOLOMON. Mr. Speaker, we cannot solve the crime and violence problems which plague this country without an all-out war on drugs. Make no mistake about it. This Republican-controlled Congress will pay a major role in the war on drugs. We'll step up to the plate and assume our full share of responsibility. But so must the administration. Our first, joint priority must be to restore control over the places where Americans live and raise their children.

As a consequence of the Clinton administration's half-hearted effort to fight the drug war we have witnessed a dramatic increase in the use of drugs. Unless the problem is returned to the front burner one of the few enduring legacies of the Clinton Presidency may be the reemergence of illegal drugs and the violent crime associated with drugs.